

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LOYDALE KIRVEN,

Plaintiff,

v.

No. 13-cv-0217 MCA/SMV

**CENT. N.M. CORR. FACILITY and
JOE GARCIA,**

Defendants.

**ORDER TO CURE DEFICIENCY AND
DIRECTING CLERK TO MAIL CERTAIN DOCUMENTS**

Plaintiff submitted a civil rights complaint. The Court determines that Plaintiff's filing is deficient as described in this order. Plaintiff is directed to cure the following if he wishes to pursue his claims:

I. Filing Fee.

☒ No filing fee (\$350 civil) has been received.

II. Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915:

- (1) ☒ is not filed
- (2) ☐ is missing affidavit
- (3) ☐ is missing certified copy of prisoner's inmate account statement for the 6-month period immediately preceding this filing
- (4) ☐ is missing required financial information
- (5) ☐ is missing an original signature by the prisoner
- (6) ☐ is not on proper form (must use current form)
- (7) ☐ names in caption do not match names in caption of complaint, petition or habeas application
- (8) ☐ An original and a copy have not been received by the Court. Only an original has been received.
- (9) ☐ other _____

III. Complaint, Petition or Application:


- (1) — is missing
- (2) — is not on proper form (must use our form Rev. 5/96)
- (3) — is missing an original signature by the prisoner
- (4) — is missing page nos. —
- (5) — uses et al. instead of listing all defendants/respondents
- (6) — An original and a copy have not been received by the Court. Only an original has been received.
- (7) — Sufficient copies to serve each defendant/respondent have not been received by the Court.
- (8) — names in caption do not match names in text
- (9) — other _____

Papers filed in response to this order must include the civil action number (CV 13-217 MCA/SMV) of this case. Failure to cure the designated deficiencies within thirty (30) days from the date of this order may result in dismissal of this action without further notice.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff cure the deficiencies designated above within thirty (30) days from the date of this order;

IT IS FURTHER ORDERED that the Clerk is directed to mail to Plaintiff, together with a copy of this order, the following forms: two copies each of an Application to Proceed Without Prepaying Fees or Costs and Financial Certificate.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge